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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,703	06/18/2001	Craig Carroll	SCP 00.01	1038

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EXAMINER

NGUYEN, TAI T

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 09/04/2002

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,703

Applicant(s)

Craig Carroll

Examiner

Tai Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 04 6) ☐ Other:

Art Unit: 2632

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, 1-17 and 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Radomsky et al. (US 6,211,790).

Regarding claim 1, Radomsky et al. disclose infant and parent matching and security system including all subject matters as follows:

at least one transmitter (30, 32) configured to transmit a signal (34, 36) containing an identification code (as shown in Figure 2; col. 6, lines 6-23); and

at least one receiver (20, 21) configured to receive the signal (34, 36) and establish a comparison indication based on comparison of the identification code with a reference code (as shown in Figure 2; col. 6, lines 5-39).

Regarding claim 2, Radomsky et al. disclose that the comparison indication is positive on indicator (38) if the identification code matches said reference code (col. 7, lines 3-23).

Regarding claim 3, Radomsky et al. disclose that the comparison indication is negative on indicator (38) if the identification code does not match said reference code (col. 7, lines 3-23).

Regarding claim 4, Radomsky et al. disclose the receiver comprises memory for storing the reference code (col. 6, lines 3-23).

Regarding claim 5, Radomsky et al. disclose the receiver further including a controller (server, 24) configured to communicate with an indicator (38) based on the comparison of the identification code with the reference code stored in the memory (col. 6, lines 54-67 and col. 7, lines 1-23).

Regarding claim 6, Radomsky et al. disclose the memory being programmable (col. 6, lines 15-20).

Regarding claim 11, refer to claim 1 above.

Regarding claim 12, Radomsky et al. disclose the transmitter being coupled to an identification band (104) being coupled the associated infant (116, as shown in Figure 4).

Regarding claim 13, refer to claim 2 above.

Regarding claim 14, refer to claim 3 above.

Regarding claim 15, refer to claim 4 above.

Regarding claim 16, refer to claim 5 above.

Regarding claim 17, refer to claim 6 above.

Regarding claim 21, refer to claim 1 above, Radomsky et al. disclose transmitters (30, 32) being worn by both mother and infant (as shown in Figure 2).

Regarding claim 22-24, the claimed method steps would have been inherent in the product structure.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-10, 18-20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Radomsky et al. (US 6,211,790).

Regarding claim 7, Radomsky et al. disclose the instant claimed invention except for: a user interface configured to program the memory. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a user interface to program the memory for the purpose of enabling data entry to the database.

Regarding claims 8-9, Radomsky et al. disclose the instant claimed invention except for: the receiver being mounted to a specific fixed structure. Since Radomsky et al. disclose the receiver(s) can be located within various locations (col. 5, lines 28-41). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to locate the receiver on a fixed structure/wall for the purpose of ensuring correct positioning of the receiver(s).

Regarding claim 10, Radomsky et al. disclose the instant claimed invention except for: the reference code being the same as the identification code. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have the reference code be the same as the identification code for the purpose of ensuring proper matching.

Regarding claim 18, refer to claim 7 above.

Regarding claims 19-20, refer to claims 8-9 above.

Regarding claim 25, Radomsky et al. disclose the instant claimed invention except for: the comparison step being done more than once before establishing comparison indication. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to compare the data more than once to verify the accuracy thereof.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Crimmins et al. (US 5,621,384);

Stokes (US 5,512,879); and

Vercellotti et al. (US 5,317,309).

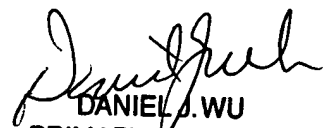
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (703) 308-0160. The examiner can normally be reached on Monday to Friday from 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass, can be reached on (703)305-4717. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Examiner: Tai T. Nguyen

Date: August 23, 2002


DANIEL J. WU
PRIMARY EXAMINER
8/23/02